



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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SACHI A. HAMAI  
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June 5, 2015

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From: Sachi A. Hamai  
Interim Chief Executive Officer

## **WASHINGTON, D.C. UPDATE ON HOUSE PASSAGE OF THE FEDERAL FISCAL YEAR 2016 COMMERCE-JUSTICE-SCIENCE APPROPRIATIONS BILL (H.R. 2578)**

This memorandum is to provide the Board with an update on H.R. 2578, the Federal Fiscal Year (FFY) 2016 Commerce-Justice-Science (CJS) appropriations bill, which the House passed, 242 to 183, on June 3, 2015. Only 12 Democrats voted to pass the bill while only 10 Republicans voting against it.

Senate Democrats have indicated that they will filibuster FFY 2016 appropriations bills, including the CJS appropriations bill. They believe that the overall discretionary spending levels for the appropriations bills are too low because they use the lower discretionary spending caps enacted in the Budget Control Act of 2011. These spending caps also were used in the FFY 2016 budget resolution (S.Con.Res. 11), which was opposed by all Democrats in both houses. Therefore, it is widely expected that a Continuing Resolution will have to be enacted to temporarily fund Federal programs and activities on or before October 1, 2015.

### **Highlights of the FFY 2016 Commerce-Justice-Science Appropriations Bill**

The House-passed CJS appropriations bill increases overall funding for discretionary programs and activities by \$1.275 billion to \$51.378 billion in FFY 2016. The bill reduces overall funding for state and local law enforcement assistance, administered by the Department of Justice (DOJ) by approximately \$180 million to \$2.08 billion, but increases funding for the two state and local formula grant programs through which the County annually receives funding:

*"To Enrich Lives Through Effective And Caring Service"*

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- **State Criminal Alien Assistance Program (SCAAP)** funding, which reimburses state and local costs of incarcerating undocumented criminal aliens, is increased by \$35 million to \$220 million in FFY 2016. The County's most recent SCAAP grant award was \$3.4 million for FFY 2014 when SCAAP's funding level was \$180 million.
- **Byrne Justice Assistance Grant (JAG)** formula grant funding in FFY 2016 is increased to \$445 million in FFY 2016 after a floor amendment was adopted, by voice vote, to increase JAG funding by \$100 million above the funding level approved by the House Appropriations Committee last month. Its FFY 2016 JAG funding level represents a \$112.75 million increase over the current fiscal year.

Besides increasing JAG funding, the House also adopted, by voice vote, amendments to add \$17.3 million for trafficking victim services grants and activities, and \$10 million for a new "body-worn camera partnership initiative" to provide demonstration grants for the purchase of body-worn cameras for use by police. When added to the prior Committee-approved FFY 2016 funding levels, trafficking victim services are funded at \$42.3 million (\$50,000 above FFY 2015), and body-worn camera grants are funded at \$25 million. H.R. 2578 funds a formula grant for DNA analysis and capacity enhancements at \$117 million in FFY 2016, the same level as in FFY 2015. The County Sheriff's Department receives over \$1 million a year from this formula grant.

The bill's deepest state and local law enforcement funding cuts are its elimination of funding for the Community Oriented Policing Services (COPS) Hiring Grant, which was funded at \$180 million in FFY 2015, and the Title II juvenile justice formula grant, which was funded at \$55 million in FFY 2015. In most years, the County neither receives a COPS grant, which is awarded competitively, nor any funding from the State's Title II allocation. However, several years ago, the State used part of its Title II funding to award a grant to the County's Juvenile Court to pilot the specialized "STAR" Court to supervise and serve sexually trafficked youth and a grant to the Probation Department to provide extensive child sex trafficking training.

Before passing the bill, the House approved two immigration-related policy riders, offered by Representative Steve King (R-IA), without a single "aye" vote from a Democrat. One of the amendments would prohibit funds appropriated by the bill from being used with respect to the State of Texas' lawsuit that seeks to block the President's Deferred Action for Parents of Americans (DAPA) program, which would allow certain undocumented parents of children who are United States citizens or lawful permanent residents, to obtain work authorization and protection from deportation, and his expansion of the existing Deferred Action for Childhood Arrivals (DACA) program. If

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enacted, this policy rider, in effect, would block the Department of Justice (DOJ), which is funded by the bill, from litigating this case. There were 20 Republicans, including Representatives Jeff Denham, Devin Nunes, and David Valadao from California, who voted against this amendment.

The other amendment would prohibit any DOJ Office of Justice Program state and local law enforcement funding, which would include SCAAP and JAG, from being used in contravention of an existing law that prohibits any Federal, state, or local official from prohibiting or restricting the sending to or receiving information from the Immigration and Naturalization Service (INS) regarding the citizenship or immigration status of any individual. That law, which was enacted in 1996, has not been enforced and was not amended after the INS was dissolved in 2002 when its functions were transferred to the Department of Homeland Security. There were 14 Republicans, including Representatives Denham and Valadao from California, who voted against this amendment.

### **Legislative Outlook**

The Senate CJS Appropriations Subcommittee is scheduled to mark up its version of the FFY 2016 CJS appropriations bill on June 10, 2015. The Senate is unlikely to pass its version of the bill. This is because Senate Democrats, who have sufficient votes to use a "filibuster" to delay or block Senate passage of appropriations bills, have indicated that they will filibuster FFY 2016 appropriations bills, including this one. They believe that the overall discretionary spending levels for the appropriations bills are too low because they reflect the lower discretionary spending caps enacted in the Budget Control Act of 2011. It, therefore, is widely expected that a Continuing Resolution will have to be enacted to temporarily fund Federal programs and activities on or before October 1, 2015 when FFY 2016 begins.

We will continue to keep you advised.

SAH:JJ:MR  
MT:ma

c: All Department Heads  
Legislative Strategist